



Order Filed on December 13, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg, MAG-1284**

**Marie-Ann Greenberg, Standing Trustee**

**30 TWO BRIDGES ROAD**

**SUITE 330**

**FAIRFIELD, NJ 07004-1550**

**973-227-2840**

**Chapter 13 Standing Trustee**

**IN RE:**

**ANTONIO CAPOTE**

**Chapter 13 Case No.: 16-24776 RG**

**HEARING DATE: 10/18/2017**

**Judge: ROSEMARY GAMBARDELLA**

**ORDER DISMISSING PETITION**

The relief set forth on the following page, numbered two (2), is hereby ORDERED.

**DATED: December 13, 2017**

A handwritten signature in black ink, appearing to read "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Case No.: 16-24776

Caption of Order: ORDER DISMISSING PETITION

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THIS MATTER having come before the Court on the Chapter 13 Standing Trustee's Motion for Dismissal of the Debtor(s)' Chapter 13 Petition on, and the Court having been satisfied that proper service and notice was effectuated on the Debtor(s) and Debtor(s) counsel, and the Court having considered the Chapter 13 Standing Trustee's report, by reasons set forth in the certification and good and sufficient cause appearing therefrom for the entry of this Order, it is:

ORDERED AND DIRECTED, that the Debtor(s) Voluntary Petition for Relief under Chapter 13 and all proceedings thereunder are hereby dismissed without prejudice; and it is further

ORDERED AND DIRECTED, that upon case dismissal any funds held by the Chapter 13 Standing Trustee from payments made on account of Debtor(s) Plan, shall be disbursed to the Debtor(s), less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan or by Court Order, and/or any counsel fees and costs hereby allowed as an Administrative Expense.

Pursuant to 11 U.S.C. Sec. 349(b) this Court, for cause, retains jurisdiction over any additional application filed within 30 days by any administrative claimants for funds on hand with the Chapter 13 Trustee.

**Certificate of Notice Page 3 of 3**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Antonio Capote  
 Debtor

Case No. 16-24776-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Dec 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 16, 2017.

db +Antonio Capote, 309 49TH STREET APT 3, Union City, NJ 07087-5132

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 16, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 14, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
 Karen B. Olson on behalf of Creditor Emigrant Residential LLC kbo@kkmllp.com, nmm@kkmllp.com  
 Karen B. Olson on behalf of Creditor Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2015-13ATT kbo@kkmllp.com, nmm@kkmllp.com  
 Marie-Ann Greenberg magecf@magtrustee.com  
 Robert B Davis on behalf of Debtor Antonio Capote Rob@davislawcenterllc.com, rbdesq@gmail.com;r62529@notify.bestcase.com

TOTAL: 5